

REMARKS

I. Introduction

Claims 1-14 have been examined and are rejected. Specifically, claims 1-14 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,305,212 to Drzewiecki (hereinafter “Drzewiecki”).

II. Claim Rejections – 35 U.S.C. § 102(e)

Claims 1, 4, 5, 6, 10, 11, 12 and 13 are all of the independent claims. Claim 1 recites an electrical switchgear enclosure containing a gaseous mixture having at least two components (*see also* claims 4-6 and 10-13).

The Examiner now alleges that Drzewiecki discloses the recited electrical switchgear as unit 44 in Fig. 1 (*see* Office Action: page 5). To the contrary, in Drzewiecki, unit 44 is a replaceable transducer module that contains transducers necessary for sensing the temperature and pressures of the gas mixture in the fluidic devices in the disposable sensor module 40 (Drzewiecki: col. 17, lines 24-32; and Fig. 5C).

The transducer module 44 of Drzewiecki is not an electrical switchgear enclosure. In fact, Drzewiecki does not relate to electrical switchgear equipment (*e.g.*, a high-voltage circuit breaker) at all. Instead, Drzewiecki describes a disposable module for sensing characteristics of a flowing medium, such as a gas (Drzewiecki: Fig. 5C, element 40; and claims 1-5).

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. Application No. 10/038,585
Attorney Docket No. Q67992

Furthermore, claim 1 states that the gas mixture is monitored non-intrusively (*see also* claims 4-6 and 10-13). For example, the gas mixture can be measured without tapping the enclosure containing the gas mixture. Conversely, Drzewiecki is fundamentally different in that sampled gases enter the system (via a sampling port 19) and are routed through the system and then out of the system (via a vacuum pump 89). The measuring of a sampled (portion) of a gas flowing into and out of a system can hardly be characterized as non-intrusive.

Additionally, it is respectfully submitted that the remarks presented in Applicants' Amendment Under 37 C.F.R. § 1.111 filed on March 24, 2005 are still applicable to the present grounds of rejections and, thus, are incorporated herein.

In view of the above, claim 1 is not anticipated by Drzewiecki. Claims 4-6 and 10-13, which recite features similar to those in claim 1 are not anticipated by Drzewiecki based on a rationale analogous to that set forth above for claim 1.

Consequently, claims 2-3, 7-9 and 14 are not anticipated by Drzewiecki, at least by virtue of their dependency, as well as the additional features recited therein.

For example, claim 14 recites that "said gaseous mixture acts as an insulation gas in the electrical switchgear." The Examiner alleges that Figs. 7B and 7C of Drzewiecki somehow disclose these features of claim 14 (Office Action: page 4). To the contrary, Drzewiecki makes no mention of any insulation occurring, let alone that a gaseous mixture is acting as an insulation gas in an electrical switchgear enclosure.

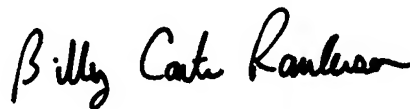
RESPONSE UNDER 37 C.F.R. § 1.116
U.S. Application No. 10/038,585
Attorney Docket No. Q67992

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Billy Carter Raulerson
Registration No. 52,156

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 8, 2005